

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

United States of America,

Case No. 22-cr-188(3) (KMM/TNL)

Plaintiff,

v.

ORDER

Thomas Virgil Trumble,

Defendant.

This matter comes before the Court on Defendant Thomas Virgil Trumble's Motion for Continuance of Motion Hearing, ECF No. 69. Defendant has also filed a Statement of Facts in Support of Exclusion of Time Under the Speedy Trial Act, ECF No. 70. Defendant requests that the motions hearing set for December 12, 2022, ECF No. 53, be continued for 30 days as the parties "are in the midst of discussions regarding the possibility of trial and the possibility of resolution short of trial."¹ ECF No. 69 at 1. The Government has no objection to the request and indicates that it will "file its Response to the motions already filed by [Defendant] one week prior to the" rescheduled motions hearing. ECF No. 69 at 1.

Pursuant to 18 U.S.C. § 3161(h), this Court finds that the ends of justice served by granting a continuance outweigh the best interests of the public and Defendant in a speedy

¹ Defendant filed pretrial motions on September 14, 2022. ECF Nos. 33-37, 39. Although Defendant's motion requests that the "motion filing date" also be continued, ECF No. 69 at 2, defense counsel confirmed via e-mail that an extension of the motions-filing deadline was not being requested.

trial and such continuance is necessary to provide Defendant and his counsel reasonable time necessary for effective preparation and to make efficient use of the parties' resources.

Based on all the files, records, and proceedings herein, **IT IS HEREBY ORDERED** that:

1. Defendant's Motion for Continuance of Motion Hearing, ECF No. 69, is **GRANTED**.

2. The period of time from **December 9, 2022 through January 11, 2023**, shall be excluded from Speedy Trial Act computations in this case.

3. All responses to motions must be filed by **January 4, 2023**. *See* D. Minn. LR 12.1(c)(2).

4. Any Notice of Intent to Call Witnesses must be filed by **January 4, 2023**. *See* D. Minn. LR. 12.1(c)(3)(A).

5. Any Responsive Notice of Intent to Call Witnesses must be filed by **January 9, 2023**. *See* D. Minn. LR 12.1(c)(3)(B).

6. A motions hearing will be held pursuant to Federal Rules of Criminal Procedure 12(c) where:

- a. The Government makes timely disclosures and a defendant identifies in the motions particularized matters for which an evidentiary hearing is necessary; or
- b. Oral argument is requested by either party in its motion, objection or response pleadings.

7. If required, the motions hearing must be heard before Magistrate Judge Tony N. Leung on **January 11, 2023, at 2:00 p.m.**, in Courtroom 9W, Diana E. Murphy United States Courthouse, 300 South Fourth Street, **MINNEAPOLIS**, Minnesota. *See* D. Minn. LR 12.1(d).

8. **The trial date, and other related dates, will be rescheduled following the ruling on pretrial motions. Counsel must contact the Courtroom Deputy for District Judge Katherine M. Menendez to confirm the new trial date.**

Dated: December 9, 2022

s/ Tony N. Leung
TONY N. LEUNG
United States Magistrate Judge
District of Minnesota

United States v. Trumble
Case No. 22-cr-188(3) (KMM/TNL)